1 The Honorable Thomas S. Zilly 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON 9 AT SEATTLE 10 STRIKE 3 HOLDINGS, LLC, a Delaware Case No. 2:17-cv-01731-TSZ 11 corporation, **DECLARATION OF EMILIE KENNEDY** IN SUPPORT OF PLAINTIFF'S 12 Plaintiff, **OPPOSITION TO DEFENDANT'S** MOTION TO DISMISS OR ABATE AND 13 V. FOR A MORE DEFINITE STATEMENT 14 JOHN DOE, subscriber assigned IP address 73.225.38.130, 15 Defendant. 16 17 18 I, Emilie Kennedy, declare as follows: 19 1. My name is Emilie Kennedy. I am over the age of 18 and am otherwise 20 competent to make this declaration. 21 2 This declaration is based on my personal knowledge and, if called upon to do so, I 22 will testify that the facts stated herein are true and accurate. 23 3. I am the general counsel for General Media Systems, LLC ("GMS") and am a 24 duly licensed registered in-house counsel in the state of California (RIHC: 802963) and hold a 25 Florida bar license (Bar No. 92808). I have represented GMS and its subsidiaries since June of 26 2017, and during all times relevant in the above-captioned matter. DECLARATION OF EMILIE KENNEDY FOX ROTHSCHILD LLP (2:17-CV-01731-TSZ) - 1 1001 FOURTH AVENUE, SUITE 4500 SEATTLE, WA 98154 206.624.3600

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- 4. GMS is a Delaware limited liability company duly registered to transact business within the state of California. A true and correct copy of the registration application for GMS filed with the California Secretary of State is attached hereto as **Exhibit "A."**
- 5. Plaintiff Strike 3 Holdings, LLC ("Strike 3") is a wholly owned subsidiary of GMS and serves as its intellectual property holding company. Strike 3 enters into assignments in which it obtains the rights to adult-content films produced by GL Web Media ("GLWM"), a production company wholly owned by Greg Lansky who is a member of GMS, and Kode Shop, LLC ("Kode"), a post-production company wholly owned by GMS. GLWM and Kode create GMS' audio-visual works, including those at issue in this case in Studio City, CA (*i.e.*, works under the *Blacked*, *Tushy*, and *Vixen* brands). Both GLWM and Kode are duly registered with the state of California. A true and correct copy of the GLWM Articles of Incorporation filed with the California Secretary of State is attached hereto as **Exhibit "B."** A true and correct copy of the registration application for Kode filed with the California Secretary of State is attached hereto as **Exhibit "C."**
- 6. A registration application for Strike 3 was filed with the California Secretary of State on March 12, 2018 and is currently pending. A true and correct copy of this application is attached hereto as **Exhibit "D."**

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 2nd day of April, 2018 at Studio City, California.

Emilie Kennedy

Emilie Kennedy

DECLARATION OF EMILIE KENNEDY (2:17-CV-01731-TSZ) - 2

FOX ROTHSCHILD LLP 1001 FOURTH AVENUE, SUITE 4500 SEATTLE, WA 98154 206.624.3600

1	CERTIFICATE OF SERVICE
2	I hereby certify that on April 2, 2018, I electronically filed the foregoing with the Clerk
3	of the Court using the CM/ECF system which will send notification of such filing to the
4	following persons:
5	
6	J. Curtis Edmondson, WSBA #43795 ☑ Via CM/ECF 399 NE John Olsen Avenue □ Via U.S. Mail
7	Hillsboro, Oregon 97124
8	Telephone: (503) 336-3749 □ Via Overnight Courier Email: <u>jcedmondson@edmolaw.com</u> □ Via Facsimile
9	
10	DATED this 2 nd day of April, 2018.
11	Morinda R. O. misan
12	Meunda R. Sullivan Melinda R. Sullivan
13	Legal Administrative Assistant
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	DECLARATION OF EMILIE KENNEDY (2:17-CV-01731-TSZ) - 3 FOX ROTHSCHILD LLP 1001 FOURTH AVENUE, SUITE 4500

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